

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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**DEBRA SPERO, as Natural Mother of  
V.S., an infant,**

Plaintiffs,

v.

**VESTAL CENTRAL SCHOOL DISTRICT  
BOARD OF EDUCATION, VESTAL CENTRAL  
SCHOOL DISTRICT, JEFFREY AHEARN,  
Superintendent of Schools, ALBERT A. PENNA,  
Interim Principal of Vestal High School,  
DEBORAH CADDICK and CLIFFORD KASSON,  
in their Individual and Official Capacities,**

Defendants,

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**NOTICE OF MOTION FOR  
SUMMARY JUDGMENT**

Civil Action No.: 3:17-cv-00007  
(GTS/DEP)

**PLEASE TAKE NOTICE**, that upon the Affidavit of Charles C. Spagnoli, Esq., Supporting Motion for Summary Judgment dated May 31, 2019; the Affidavit of Jeffrey Ahearn dated May 29, 2019; the Affidavit of Albert Penna dated May 28, 2019; the Affidavit of Clifford Kasson dated May 28, 2019; the Affidavit of Deborah Caddick dated May 28, 2019; the Affidavit of Katharine Dyer dated May 28, 2019; the Defendants' Statement of Material Facts as to Which There Exists No Genuine Dispute; and the Defendants' Memorandum of Law in Support of Motion for Summary Judgment, Defendants Vestal Central School District Board of Education, Vestal Central School District, Jeffrey Ahearn, and Albert A. Penna will move this Court at the Federal Building and U.S. Courthouse, 100 South Clinton Street, Syracuse, New York at 10:00 a.m. on July 4, 2019, or as soon thereafter as those Defendants may be heard, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure in Defendants' favor granting summary judgment as to all causes of action alleged against them in the Complaint.

**PLEASE TAKE FURTHER NOTICE THAT**, pursuant to Local Rule 7.1(b)(1) of the Court, answering papers, if any, shall be served on or before June 17, 2019.

Dated: May 31, 2019  
East Syracuse, New York

Respectfully submitted,

The Law Firm of Frank W. Miller

**s/Charles C. Spagnoli, Esq.**

**Bar Roll No.: 507694**

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